

November 26, 2018

Mr. David Briglio
Towson High School Sports Boosters
800 Ridgeleigh Road
Baltimore, MD 21212

Re: Towson High School
Forest Buffer Variance
Tracking # 05-18-2850

Dear Mr. Briglio:

A request for a variance from the Baltimore County Code, Article 33, Title 3, a Law for the Protection of Water Quality, Streams, Wetlands and Floodplains, was received by this Department of Environmental Protection and Sustainability (EPS) on November 9, 2018. If granted, the variance would allow the applicant to impact 2,000 square feet (sf) of Forest Buffer associated with an unnamed Use-IV tributary to Herring Run in order to install a new set of bleachers alongside the athletic field at Towson High School. The bleacher installation will include the grading required for the placement of a 1,710-square foot concrete pad to support the bleachers. Additionally, approximately 1.9 acres of area that would be Forest Buffer per Section 33-3-111 of the subject law has historically been used for athletic activities such as baseball fields, soccer fields, and a running track/football field. The school needs to continue these uses in the Forest Buffer to provide adequate athletic facilities to its students.

The school property is approximately 28.8 acres, with the stream bisecting the property between the school building and the athletic field. The possible locations for the proposed bleachers are limited by the orientation of the existing football field/track in relation to the stream and its Forest Buffer. The proposed location of the new bleachers is already used by the spectators of sporting events, and the addition of new bleachers for spectators and the marching band are necessary to improve functionality of this athletic facility. Avoiding all impact to the Forest Buffer would make the addition of the bleachers impossible as well as require abandonment of many of the long standing athletic uses onsite. No forest, steep slopes, wetlands, or floodplains will be impacted by the construction of the bleachers or continuation of the uses within the Forest Buffer.

This Department has reviewed your request and has determined that a practical difficulty exists in avoiding impact to the Forest Buffer. Furthermore, impacts to water quality would be minimized given that the limit of disturbance is small and no forest, steep slopes, wetlands, or floodplains will be impacted. Furthermore, the stream channel will not be directly impacted by granting this variance.

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Therefore, we will grant this request in accordance with Section 33-3-106 (a)(1) of the Baltimore County Code, with the following conditions:

1. A functioning Forest Buffer shall be established onsite as delineated on the enclosed plan. Existing sidewalks within this functioning buffer may remain.
2. This Forest Buffer limit shall be posted onsite with "Forest Buffer-Do Not Disturb" signs at 100 foot intervals or any turn in its limit. Information about sign suppliers and installation is provided in the enclosure.
3. Existing use of the full Forest Buffer shall not be expanded or intensified in any way. Mowing of the remaining functioning Forest Buffer shall cease immediately and permanently. Should any existing use of the Forest Buffer cease in the future, that portion of Forest Buffer must be left undisturbed to convert to functioning buffer.
4. The following note must appear on all subsequent plans submitted for this project:

"A variance was granted on November 26, 2018 by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow 2,000 square feet of impact to the Forest Buffer associated with an unnamed tributary to Herring Run and allow continued use of approximately 1.9 acres of this Forest Buffer. The Forest Buffer limits shown hereon reflect the fact that this variance was granted. Conditions were placed on this variance to reduce impacts to water quality including onsite posting of the remaining buffer."

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout will require submittal of revised plans and a new variance request.

Please have the party responsible for meeting the conditions of this variance sign and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Ms. Libby Errickson at (410) 887-3980.

Sincerely yours,

David V. Lykens
Deputy Director

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DVL/lbe

Enclosures (2)

c. Pamela Strickland, Baltimore County Public Schools

I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

School Representative's Signature Date

Printed Name